

REMARKS

The Office examined claims 1-16, and rejected claims 1-2 and 4-16, and objected to claim 3. With this response claims 1, 7, 8 and 11-13 are amended.

Applicant acknowledges that the claims are amended after a final rejection, but respectfully requests consideration and entry of the amendments. The claims are amended to change the format of the language used in the claims, and to correct informalities. However, the scope of the claims is not changed by the amendments to the claims. For example, applicant respectfully submits that regardless of whether claim 7 recites “a transceiver configured to enable” or “a transceiver for enabling” the scope of the claims are the same. Therefore, applicant respectfully requests entry and consideration of the amendments, because the amendments require no additional search or substantive examination on the part of the Office.

Applicant respectfully requests reconsideration of the rejections in light of the following remarks. The independent claims are claims 1, 7, 8 and 11-15.

Response to Arguments

In section 1, on page 2 of the Office Action, the Office continues to assert that Chuah (U.S. Appl. Publ. No. 2003/0214928) in view of Sim (U.S. Appl. Publ. No. 2003/0093167) teaches receiving an indication of a cause of a failure concerning a requested connection from a mobile communication network and forwarding the indication to a terminal equipment, as recited in claim 1. In the present Office Action the Office does not reject the pending claims under a combination of Chuah and Sim, but instead rejects the independent claims under § 102 as anticipated by Chuah. Never the less, applicant respectfully submits that even the combination of Chuah and Sim fail to disclose or suggest all of the limitations recited in independent claim 1.

The Office states that paragraph [0033] of Sim teaches a network that has a plurality of portable modules which can communicate with a manager wirelessly, and the manager is adapted to transmit an explanatory message to the portable module which has been denied access to the “network” to explain the reason why access has been denied. Applicant respectfully submits that Sim does not disclose or suggest transmitting an explanatory message to a portable module which has been denied access to a “network,” but instead only states that the queue manager is adapted to transmit an explanatory message to the portable module which has been denied access to the queue area to explain the reason why access has been denied. See Sim paragraph [0033].

The Office incorrectly replaces the phrase “queue area” with “network” in responding to applicant’s previous arguments, and therefore incorrectly asserts that Sim provides a teaching which it does not.

As previously stated in applicant’s response filed December 16, 2006, Sim is directed to a queue management system for managing at least one queue of people. See Sim paragraph [0001]. In Sim, a “queue” refers to a line or waiting area in which people wait to get on a ride, for example, at an amusement park, and has nothing to do with a communication network as recited in claim 1. There is no teaching or suggestion in Sim of providing an explanatory message to a portable module that has been denied access to the “network,” because the explanatory message is provided when the portable module is denied access to the queue, i.e. the line or waiting area at an amusement park. The explanatory message transmitted to the portable module has nothing to do with a cause of failure for a connection to a mobile communication network as recited in claim 1, but instead only indicates that access is denied because the user has arrived either before or after the designated time, is at the wrong ride, or the user is at the wrong ride at the wrong time. See Sim paragraph [0094]. Therefore, even if Chuah were combined with Sim, independent claim 1 would not be disclosed or suggested, because the references fail to teach or suggest all of the limitations recited in claim 1.

In addition, for at least the reasons presented in applicant’s response filed December 16, 2006, applicant respectfully submits that Sim is nonanalogous art, and may not be cited against the present application. Sim is not in the field of the applicant’s endeavor because the current application is addressed to facilitating the establishment and maintenance of a connection between terminal equipment and a mobile communication network via a mobile terminal. See specification page 3, lines 6-8. In contrast, Sim is concerned with a queue management system for managing at least one queue of people. See Sim paragraph [0001]. In addition, contrary to the assertions of the Office, Sim is not in the field of wireless communications, as would be understood by one of skill in the art. Instead, Sim uses a method of communicating between portable modules and a queue manager by way of radio paging messages. See Sim paragraph [0009]. Radio paging messages, as understood by one of skill in the art, are not equivalent to the communications performed in the field of wireless communications. Therefore, applicant respectfully submits that Sim is not analogous art.

Claim Rejections Under § 102

At section 3, on page 3 of the Office Action claims 1, 7-8, 11-12 and 14-15 are rejected under 35 U.S.C. § 102(e) as anticipated by Chuah. Applicant respectfully submits that independent claim 1 is not disclosed or suggested by Chuah, because Chuah fails to disclose or suggest all of the limitations recited in claim 1. Applicant respectfully notes that in the previous Office Action of October 27, 2006 the Office asserted that applicant's previous arguments were considered moot in light of rejection of the claims over Chuah in view of Sim. The Office now asserts that Chuah alone discloses all of the limitations recited in claim 1. However, applicant respectfully submits that Chuah at least fails to disclose or suggest that in case a failure occurs concerning a requested connection, an indication of a cause of the failure is received from the mobile communication network and forwarded to the terminal equipment, as recited in claim 1.

Chuah discloses an invention that may be capable of admission control. See Chuah paragraph [0221]. Admission control involves a decision by a base station (AP) as to whether to admit a new connection request. Chuah discloses that the new connection request may be denied, for example, if the quality of service of all admitted connections cannot be maintained with the admission of the new connection. See Chuah paragraph [0222]. However, Chuah does not teach that an indication of the cause of the reason why the connection was denied is received from the network and forward to terminal equipment, as recited in claim 1. Chuah provides that there are numerous admission control techniques that may be used to admit or deny new connection requests, however Chuah never discloses or suggests providing an indication as to why a connection request is denied. Therefore, contrary to the assertions of the Office, "connection denied" is not the equivalent of an indication of a cause of failure, as recited in claim 1, because "connection denied" merely refers to the admission control technique used and has nothing to do with providing an explanation as to why the connection request was denied. In fact, on page 2 of the previous Office Action of October 27, 2006 the Office specifically acknowledges that Chuah fails to teach this limitation of claim 1. For at least the reasons discussed above, Chuah fails to disclose or suggest all of the limitations recited in claim 1, and claim 1 is not anticipated or suggested by Chuah.

Furthermore, Chuah also fails to disclose or suggest a method for supporting data exchange between terminal equipment and a mobile communication network via a mobile terminal, wherein the terminal equipment and the mobile terminal are separate entities, as recited

in claim 1. Chuah relates to a method for paging a device in a wireless network. Chuah discusses providing a wireless packet-switched data network for end users that avoids the public switched telephone network and provides end users of the wireless network with remote roaming capability. See Chuah paragraph [0071]. Claim 1 recites a method for supporting a data exchange between terminal equipment and a mobile communication network via a mobile terminal, said terminal equipment and said mobile terminal being separate entities. However, Chuah does not disclose or suggest supporting data exchange between terminal equipment and a mobile communication network via a mobile terminal.

While Chuah does mention that end systems 232 (for example a portable PC) connect to a wireless network 230 via external or internal modems, these modems are not both separate from the terminal equipment and mobile. Chuah discusses that these external and internal modems allow end systems 232 to send and receive over an air link. However, the external modems are generally fixed, i.e. not mobile, since external modems are co-located with roof-top mounted directional antenna, and the internal modems are integral with the end systems, and therefore not separate. See Chuah paragraph [0074]. As such, Chuah fails to disclose or suggest a method for supporting a data exchange between terminal equipment and a mobile communication network via a mobile terminal, said terminal equipment and said mobile terminal being separate entities. For at least this reason, Chuah does not anticipate or suggest claim 1, because all of limitations recited in claim 1 are not disclosed or suggested.

Claim 2 depends from independent claim 1, and is not disclosed or suggested by Chuah at least in view of its dependency.

Independent claims 7-8, 11-12, and 14-15 contain limitations similar to those recited in claim 1. Therefore, for at least the reasons discussed above in relation to claim 1, claims 7-8, 11-12 and 14-15 are not disclosed or suggested by the cited references.

Claim Rejections Under § 103

In section 5, on page 4 of the Office Action, claims 4 and 9 are rejected under 35 U.S.C. § 103(a) as unpatentable over Chuah in view of Rao et al. (U.S. Appl. Publ. No. 2004/0076128). Claims 4 and 9 ultimately depend from an independent claim, and are patentable over the cited references at least in view of their dependencies.

In section 6, on page 4 of the Office Action, claims 5, 10 and 16 are rejected under 35 U.S.C. § 103(a) as unpatentable over Chuah. Claims 5, 10 and 16 ultimately depend from an independent claim, and are patentable over the cited references at least in view of their dependencies.

At section 7, on page 4 of the Office Action claims 6 and 13 are rejected under 35 U.S.C. § 103(a) as unpatentable over Chuah in view of Chou (U.S. Patent No. 5,850,526). Claim 6 ultimately depends from independent claim 1, and is patentable over the cited references at least in view of its dependency.

Independent claim 13 contains limitations similar to those recited in independent claim 1, therefore for at least the reasons discussed above in relation to claim 1, claim 13 is not disclosed or suggested by the cited references. Furthermore, Chuah in view of Chou, alone or in combination, fail to disclose or suggest all of the limitations recited in claim 13.

Allowable Subject Matter


In section 5, on page 4 of the Office Action claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant believes that claim 3 is patentable over the cited references due to its dependency from independent claim 1, and therefore does not wish to place claim 3 in independent form..

Conclusion

The rejections of the Office Action having been shown to be inapplicable, withdrawal thereof is requested, and passage to issue of the present application is earnestly solicited. The undersigned hereby authorizes the Commissioner to charge deposit account 23-0442 for any fee deficiency required to submit this response.

Respectfully submitted,

Date: 21 May 2007


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